



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES**

Columbia Environmental Field Office
1421 Hampshire Pike
Columbia, TN 38401

January 9, 2017

Mr. Kevin Buck
B P & G Materials, LLC Concrete Batch Plant
4650 State Route 11E
Bluff City, TN 37686

SUBJECT: Notice of Violation
B P & G Materials, LLC
NPDES Permit Number TNG110341

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
RECEIPT #7196 9008 9111 3808 3158

Dear Mr. Buck,

On December 19, 2016, Division of Water Resources (Division) personnel conducted a file review and found that B P & G Materials, LLC has failed to submit Discharge Monitoring Reports (DMRs) for the following monitoring periods:

Monitoring Period End Date	Due Date	Received Date
9/30/14	10/15/14	Not received as of 12/21/16
12/31/15	1/15/16	Not received as of 12/21/16
3/31/16	4/15/16	Not received as of 12/21/16
6/30/16	7/15/16	Not received as of 12/21/16
9/30/16	10/15/16	Not received as of 12/21/16
12/31/16	1/15/17	Not received as of 12/21/16

Late DMRs and DMR non-receipt are violations of the terms outlined in your National Pollutant Discharge Elimination System (NPDES) permit for discharges associated with Ready Mixed Concrete Facilities (RMCP). Section 6.1.1. of your NPDES RMCP permit states that "DMRs shall be postmarked no later than 15 days after the completion of the reporting period."

The Division requests that you submit the original completed and signed DMRs for the monitoring period end dates listed above. The DMRs should be submitted to the Division within 30 days of receipt of this Notice of Violation along with a written response detailing the cause of the violations, and corrective actions undertaken to correct the violations, and/or any planned corrective actions that are in process to ensure that DMRs will be completed and submitted to the Division as required by the RMCP General NPDES permit.

The original DMRs as well as the written response detailing the cause of the violations, should be sent to the address listed on the letterhead above: Compliance and Enforcement Unit, attention Kathy Fowlkes, and sent to William Hale at the Division of Water Resources, Johnson City Environmental Field office, 2305 Silverdale Road, Johnson City, TN 37601. Failure to comply with this Notice of Violation may result in escalation of enforcement, including potential civil penalties.

If you believe the violations stated above are incorrect, please provide documentation, such as certified mail receipts, showing that the DMRs were submitted in a timely manner. Documentation should be submitted within 30 days of receipt of this NOV.

The Division appreciates your dedication to water quality. Should you have any further questions, please feel free to contact Kathy Fowlkes via electronic mail to Kathy.fowlkes@tn.gov or by phone at (931) 490-3937.

Sincerely,



Jessica Murphy

Manager, Compliance and Enforcement Unit

EJM: KMF

Cc: Mr. William Hale - DWR Johnson City EFO (via e-mail)